

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

SARGENT GOEN
GOLDIE M. GOEN *Denied*

Claim No. CU -1675

Decision No. CU 3497

Under the International Claims Settlement
Act of 1949, as amended

PROPOSED DECISION

Claimant, SARGENT GOEN, who owned stock interests in the Cia. Azucarera Vertientes-Camaguey de Cuba, Cuban-Venezuelan Oil Voting Trust and Trans-Cuba Oil Company, asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Companies.

In our decisions entitled the Claim of Ruth Anna Haskey (Claim No. CU-0849), Claim of Felix Heyman (Claim No. CU-0412) and Claim of D. R. Wimberly (Claim No. CU-3417) which we incorporate herein by reference, we held that the properties owned by Vertientes were nationalized or otherwise taken by the Government of Cuba on August 6, 1960, and the properties of the Trust and of Trans-Cuba were taken on November 23, 1959, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per share of Vertientes as \$46.3946; of a Trust unit as \$.11971, and a share of Trans-Cuba as \$.1198.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Haskew, Heyman and Wimberly decisions; that he was an American national at the requisite times; that he has been the owner of 1,000 shares of stock in the Cia. Azucarera Vertientes-Camaguey de Cuba since prior to August 6, 1960; of 100 units of the Trust and 100 shares of Trans-Cuba since prior to November 23, 1959; and that he suffered a loss in the amount of \$46,418.55 within the meaning of Title V of the Act.

The record does not reflect that GOLDIE M. GOEN has any ownership interest in the securities subject of this claim. Accordingly, so much of the claim as is asserted by GOLDIE M. GOEN is denied.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and it is so ordered, as follows:

<u>FROM</u>	<u>ON</u>
August 6, 1960	\$46,394.60
November 23, 1959	<u>23.95</u>
	\$46,418.55

CERTIFICATION OF LOSS

The Commission certifies that SARGENT GOEN suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Forty-six Thousand Four Hundred Eighteen Dollars and Fifty-five Cents (\$46,418.55) with interest at 6% per annum from the respective dates of loss to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

FEB 5 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities for the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)